

APPROVED: Meeting No. 17-90

ATTEST: *Sharon Gran*

MAYOR AND COUNCIL  
ROCKVILLE, MARYLAND  
Meeting No. 14-90

April 2, 1990

The Mayor and Council of Rockville, Maryland, convened in General Session in the Council Chamber, Rockville City Hall, Maryland Avenue at Vinson Street, Rockville, Maryland, on April 2, 1990, at 7:30 p.m.

PRESENT

Mayor Douglas M. Duncan

Councilmember James F. Coyle

Councilmember Viola D. Hovsepian

Councilmember James T. Marrinan

Councilmember David Robbins

In attendance: City Manager Bruce Romer, City Clerk Sharon Gran and City Attorney Paul Glasgow.

Re: City Manager's Report

1. Regarding County Bill No. 31-90, Solid Waste Disposal, staff is researching the issue and has been assured of the continued financial viability of the County's solid waste disposal system. Staff is putting together a position on the bill and will notify the Mayor and Council before any comment is made.

2. With respect to the Task Force on Sprinkler Retrofitting, one suggestion has been received to include a representative of the Americana Centre. The list of suggested participants was not meant to be all-inclusive but a starting point only.

3. The City of Rockville is in line for another award from the State of Maryland for our drug prevention efforts. The award will be presented on Monday, April 9, at the Sixth Annual Maryland State Alcohol and Drug Abuse Prevention Conference in

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Baltimore. It is hoped that a member of the Mayor and Council may be available to accept the award on the City's behalf.

4. The current issue of the Municipal Maryland publication features articles on the Rockville-Baltimore City-to-City program by Mayor Schmoke and Mayor Duncan.

Councilmember Coyle noted that there is an article in the current issue of Public Management by Assistant City Manager Rick Kuckkahn regarding the emergency management system.

Re: Proclamation declaring the month of April as "Fair Housing Month" in Rockville.

Proclamation No. 03-90

By a unanimous vote of the Mayor and Council, April was declared "Fair Housing Month" in Rockville. At the request of the Mayor, Councilmember Hovsepien read the Proclamation, the full text of which can be found in Proclamation File No. 5 of the Mayor and Council. The Proclamation was presented to Richard Allen of Suburban Maryland Fair Housing. April, 1990, marks the twenty-second anniversary of the Federal Fair Housing Act, and Councilmember Coyle noted that while the original focus of the legislation was racial discrimination, the extent of fair housing has broadened to include categories such as accessibility and affordability.

Re: Proclamation declaring the week of April 7-14, 1990, as "National Community Development Week."

Proclamation No. 04-90

By a unanimous vote of the Mayor and Council, the week of April 7-14, 1990, was declared "National Community Development Week" in Rockville. Councilmember Coyle read the Proclamation, the full text of which can be found in Proclamation File No. 5 of the Mayor and Council. Rev. Coralyn Pinkney, President of the Board of Community

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Ministries of Rockville, accepted the Proclamation which recognizes 16 years of dedicated effort in managing local Community Development Block Grant programs.

Re: Presentation by Montgomery  
County Road Runners Club, Inc.

Dennis Steinauer, former President, and Kari Schnyer, new President of the Montgomery County Road Runners Club, presented Mayor Duncan, Greg Bayor, Director of Recreation and Parks, and Burt Hall, Superintendent of Recreation, with the MCRRC Community Service Award for the City's continuing support of community health and fitness and for invaluable contributions to the success of MCRRC programs.

Re: Citizens' Forum

At this time, the Mayor opened the meeting to hear from any citizen who wished to address the Mayor and Council.

1. Pat Carson, 20400 Ramsburg Place, owner of Pat's Costumes, applauded the City's efforts to bring cultural change to Rockville vis-a-vis Rockville Arts Place but felt that such change should not lead to the demise of established businesses.

Discussion followed regarding the relocation of Pat's Costumes and O'Hara's, now sharing space and operating as an entity, to two separate locations with less total square footage. Councilmember Coyle commented that hopefully the space is temporary and more suitable space may be found with the Chamber and City working together.

2. Alice Von Saunder, 13 Clemson Court, expressed concern with the proposed relocation of O'Hara's and Pat's Costumes to accommodate Rockville Arts Place which would necessitate the splitting up of the two businesses which have been operating together for 15 years.

Councilmember Coyle indicated that there are two separate issues; the space for Rockville Arts Place and the larger issue of how to protect small businesses the City wants to keep downtown. While the City cannot dictate to businesses what

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establishments they will have, the City should develop a program with the Chamber in an effort to manage moves to somewhere acceptable.

Ms. Von Saunder responded that there should be a formal proposal to protect small businesses and retain them in the City. Mayor Duncan stated that the City has been discussing such a plan for several months, and the soon-to-be hired Director of Community Development will be responsible for the development of such a plan.

3. Gilman Grave, 14 W. Argyle Street, referenced the petition submitted to the Traffic and Transportation Commission from individuals residing in the area of Maryland Avenue and Van Buren Street to reopen W. Argyle Street to two-way traffic. Dr. Grave indicated that the street cannot accommodate two-way traffic and that the decision process to make W. Argyle Street one-way, which was supported by the Traffic and Transportation Commission and the Area 3 Neighborhood Planning Advisory Group, took two years.

Mayor Duncan commented that he and Councilmember Hovsepian were on the Council when this action was taken and that there were excellent reasons to make W. Argyle Street one-way in the first place. He noted that the matter is now with the Traffic and Transportation Commission, and the Commission will be exploring methods to alleviate particular traffic problems without reversing the situation on W. Argyle Street. Mayor Duncan requested that a representative of the West End neighborhood be involved with the subcommittee reviewing this matter.

4. John Mistretta, 215 S. Washington Street, commented that he is not in favor of changing the one-way designation of W. Argyle Street. He also noted that since W. Argyle was made one way, the traffic on S. Washington has increased from immediate neighborhood traffic to 600-700 cars daily. Something should be done, however, to alleviate traffic problems on Maryland Avenue so that residents residing on this street can get in and out of their driveways.

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5. John Stokes, Argyle Street, stated that he would like to see W. Argyle closed entirely to through traffic and cautioned the Mayor and Council to give careful consideration to changing the status quo.

6. Noreen Bryant, S. Washington Street, expressed concern regarding reopening Argyle Street as two-way and further commented that the new traffic signal changes the character of the area.

Mayor Duncan responded that the Mayor and Council have not yet received a request to change W. Argyle Street to two-way traffic and that only the Mayor and Council can make such a decision.

There being no other citizens wishing to be heard, the Mayor closed the Citizens' Forum portion of the meeting.

Re: Approval of Minutes

Upon motion of Councilmember Hovsepian, duly seconded and unanimously passed, the minutes of Meeting No. 12-90 (March 26, 1990) were approved, as written.

Re: Consent Agenda

Mayor Duncan requested that Item D be removed from the Consent Agenda. Upon motion of Councilmember Robbins, duly seconded and unanimously passed, the following Consent Agenda items were approved:

- A. Approval of waiver for on-site Storm Water Management for the property at the intersection of Maryland Route 28 and Glen Mill Road in the Watts Branch drainage area, and acceptance of a \$102,800 contribution for the off-site SWM fund.

The developer, WHM Land Company, plans the construction of 24 single-family homes.

- B. Award of Bid No. 93-90 for hardware and software for a local area network to the following low bidders: GTSI in the amount of \$44,669;

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Computerland of Rockville in the amount of \$4,399; and Entre McLean in the amount of \$9,322, for a combined recommended award of \$58,400.

The network will support numerous software applications within the Police Department and Data Processing Division. The LAN will be able to support future applications for other departments.

- C. Award of Bid No. 99-90, Furnishing, Delivering and Planting Trees and Shrubs, to C & C Farms, Damascus, Maryland, in the amount of \$52,858.

The project provides for furnishing, delivering and planting of trees and shrubs at various locations throughout the City. The budgeted amount is \$53,000.

Re: Approval of "Offer of Agreement" contract with Rockville Methodist Church for the purchase of 834 square feet at a price of \$6,900 in connection with the right-of-way for West Montgomery Avenue improvement project.

Mayor Duncan stated that he had asked to have this Item (D) removed from the Consent Agenda in order to thank Councilmember Hovsepian for bringing the discrepancy to the Mayor and Council's attention at the last meeting, noting that it has now been corrected. Upon motion of Councilmember Hovsepian, duly seconded and unanimously passed, the Mayor and Council approved the Offer of Agreement contract with Rockville Methodist Church for the purchase of 834 square feet at a price of \$6,900.

Re: Authorization to execute contract for conveyance of Parcel 1-B, Mid-City Urban Renewal Project.

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It is proposed that the City convey approximately 21,000 sq. ft. of land to N. Richard Kimmel in exchange for a 20-year lease to provide Rockville Arts Place with a permanent center for the arts and fine crafts. Councilmember Coyle asked what happens with the property after 20 years. Staff responded that there is no option to renew at this time; however, a renewal can be renegotiated any time during the 20-year period. In response to Councilmember Robbins' question regarding the timetable, staff indicated that settlement will take place by May 1, to be followed by a three to six month renovation period.

Mayor Duncan noted that the Mayor and Council have a commitment to come up with a business retention system in the City, especially for downtown Rockville.

Upon motion of Councilmember Hovsepian, duly seconded and unanimously passed, the Mayor was authorized to execute a contract for the conveyance of Parcel 1-B, Mid-City Urban Renewal Project, on behalf of the Mayor and Council.

Re: Approval of an Offer of Agreement to transfer title of 114 Frederick Avenue (former Red Barn site) to Montgomery Habitat for Humanity, Inc.

It is proposed that 114 Frederick Avenue be developed as a single-family home to be purchased by a low income family from the Lincoln Park community. Upon motion of Councilmember Hovsepian, duly seconded and unanimously passed, the Mayor and Council approved an Offer of Agreement to transfer title of 114 Frederick Avenue (former Red Barn site) to Montgomery Habitat for Humanity, Inc.

Re: Discussion and Instructions to Staff - Annexation Petition X-107-89, Joseph A. Lynott, attorney for Jimmy and Jeannette Johnson, petitioners.

This petition requests annexation into the City of Rockville and R-S zoning of a 68,703 square foot parcel located at the southeast corner of Wescott Place and

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Scott Drive. Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, staff was instructed to prepare Annexation Petition X-107-89 for approval by the Mayor and Council.

Re: Discussion and Instructions  
to Staff - Text Amendment  
Application T-104-90, Rockville  
Planning Commission, Applicant.

This is a technical update to the Zoning Ordinance with amendments to various sections dealing with definitions, uses, development standards and parking requirements.

Upon motion of Councilmember Robbins, duly seconded and unanimously passed, staff was instructed to prepare Text Amendment Application T-104-90, Rockville Planning Commission, applicant, for approval by the Mayor and Council.

Re: Discussion and Instructions  
to staff regarding the purchase  
of 313 Frederick Avenue for  
a community-oriented police  
services center.

This center would be used by City and County Police and community groups to continue fighting drug activity in the neighborhood. The City Manager commented that Mayor Duncan initiated this proposal and staff has provided background. Mayor Duncan asked if the source of funds for this purchase would be the Property Management Fund, and the City Manager responded that this would be a primary alternative but that this source could be used in combination with other funds such as the special project funds. In response to Councilmember Marrinan's question regarding a request for feedback from the community, the Assistant City Manager stated that there has been an excellent reaction from the community; that a storefront operation is much more desirable than the current location.

Discussion followed regarding establishment of a reasonable offer and projected moving costs. As to any budget impact in the form of staff resources, staff noted that



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the program level would remain the same as that currently being provided at the other location.

Mayor Duncan indicated that he has received a lot of positive feedback from participants in the drug vigil and from other community members during his Monday night drop-in. The site on Frederick Avenue is next to the playground and provides good visibility.

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, staff was instructed to move forward with negotiations and preparations for the purchase of 313 Frederick Avenue.

Re: Review and approval of  
recommendations regarding  
membership on a Red Ribbon  
Task Force on Sprinkler  
Retrofitting

The Mayor and Council had requested consideration of the establishment of a task force to assist the City in dealing with the issue of sprinkler retrofitting. Such a group would be composed of experts in the field as well as individuals from the private sector with an obvious vested interest. Councilmember Coyle commented that there was a good balance of interests in the recommended membership and that he would be happy to work with staff to put together a charge for the committee. Mayor Duncan requested that staff send letters to those individuals recommended, asking them to serve. Mayor Duncan also asked staff if the County had a similar committee as the City did not want to duplicate the County's efforts.

Re: FYI/Correspondence

Councilmember Hovsepien offered congratulations to Douglas F. Painter, Water Plant operator, for being selected to receive the Distinguished Service Award for Water Treatment in 1990.

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Councilmember Marrinan referenced the request of the Arts Council for a donation in the form of the use of the Civic Center Mansion. Mayor Duncan stated that there was also a similar request from the Transportation Action Partnership, and the Mayor and Council approved both requests.

Councilmember Coyle commended staff on the excellent quarterly report of the Service Request System and suggested that an article appear in Rockville Reports regarding this system.

Regarding the letter of endorsement for the proposed program at the Clinton AME Zion Church, Mayor Duncan requested that he and the Council be provided with a copy of the letter.

With respect to the letter regarding Program Open Space, Councilmember Hovsepien requested clarification regarding "Four Parks - Basketball Courts Development." The City Manager responded that one project is Broome Park and that additional information will be provided.

In connection with the Keep Montgomery County Beautiful Program's request that the Richard Montgomery Community Service Club be granted approval to adopt the streets surrounding the high school, the Mayor and Council agreed. Mayor Duncan commented that the Adopt-a-Road program is a excellent idea and that is asking the Rockville Chamber of Commerce if they would be interested in pursuing this program. Discussion then followed as to whether signs for the Adopt-a-Road program would be placed inside or outside of the right-of-way. Mayor Duncan responded that if the County places them in the right-of-way, then the City should do the same.

Mike Taylor, who is retiring from the City Government, was commended by Councilmember Hovsepien for his services. She noted that he was instrumental in the accomplishment of many cost-saving projects, such as the underground fuel tank recovery system, and that the City is losing an excellent employee.

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Re: New Business

Councilmember Marrinan asked if there could be some consistency in the formatting of minutes from the various Boards and Commissions, and staff indicated that such an effort would be coordinated. Mayor Duncan also requested that attendance sheets of the Boards and Commissions be provided along with the minutes.

With respect to the Argyle Street information, Councilmember Hovsepien commented that one page from the adopted Neighborhood Plan recommends that old Ritchie Parkway from Brice Road to W. Edmonston Drive be made one way in each direction and requested information regarding when and why this change was made. Mayor Duncan asked staff to provide a report.

Councilmember Coyle thanked the City Manager for taking care of the safety problem on Watts Branch Parkway by having the telephone booths moved back.

Councilmember Coyle requested that a booth be staffed at Rockville Day which would provide an exhibit on City information services as another way of reaching a number of citizens.

Councilmember Hovsepien indicated that Mr. Hovsepien has asked if the City is going to do anything to recognize the Hungerford Resolves in its 130th anniversary celebration. These Resolves were signed at Hungerford Tavern in Rockville in June, 1774, by local representatives to show support for the Town of Boston.

Re: Executive session

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, the Mayor and Council convened in Executive Session at 9:00 p.m. to discuss personnel matters and to consult with legal counsel.

Re: Adjournment

There being no further business to come before the Mayor and Council, the meeting was adjourned at 9:50 p.m., to convene again in Public Hearing at 7:30 p.m. on April 16, 1990, or at the call of the Mayor.